

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**ANTHONY HALL,**

\*

**Plaintiff,**

\*

**v.**

\*

**CASE NO. 1:24-CV-01137-RDB**

**BALTIMORE POLICE DEPT., *et al.*,**

\*

**Defendants.**

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\* \* \* \* \*

**INDIVIDUAL DEFENDANTS’ MOTION FOR LEAVE TO FILE UNDER SEAL  
THEIR MEMORANDUM OF LAW IN SUPPORT OF THEIR MOTION FOR  
SUMMARY JUDGMENT AND TWO ACCOMPANYING EXHIBITS**

Defendants Donald Licato, Frank Barlow, and the Estate of John Barrick (hereinafter “Individual Defendants”), by and through their undersigned counsel, and pursuant to Local Rule 105.11, respectfully move for the entry of an Order granting leave to file under seal their Memorandum of Law in Support of their Motion for Summary Judgment (“Memorandum”) and two exhibits that accompany their Memorandum, and in support thereof state as follows:

1. Individual Defendants’ Motion for Summary Judgment is due May 23, 2025.
2. Given the nature of Plaintiff’s claims and the factual background of this case, Individual Defendants’ Memorandum: (a) appends as an exhibit a Baltimore City Police Department Homicide file, which contains the dates of birth of numerous individuals (“Exhibit No. 1), and (b) discusses the substance of witness testimony before a Baltimore City Grand Jury and appends an exhibit consisting of 24 pages of transcripts of grand jury testimony (“Exhibit No. 3”).
3. As to Exhibit No. 1, Individual Defendants seek leave to file this exhibit under seal only until Individual Defendants can apply necessary redactions to any confidential information. Once

these redactions are applied, Individual Defendants will submit to the Court a redacted Exhibit No. 1 that can be made public.

4. As to the Memorandum and Exhibit No. 3, Individual Defendants believe state law prohibits the publication of grand jury material. In order to obtain this material, undersigned counsel filed with the Baltimore City Circuit Court a Motion for Disclosure and Inspection of Grand Jury Evidence, pursuant to Maryland Rule 4-642(d), Secrecy, which that court granted on March 31, 2025. *See* Ex. 1 (Motion) and Ex. 2 (Order). This Order permitted Individual Defendants to obtain the transcripts, which undersigned counsel then produced to Plaintiff pursuant to a Confidentiality Order.

5. Notwithstanding the Circuit Court's Order permitting disclosure of grand jury material to the Parties in this case, Maryland Code, Courts and Judicial Proceedings, § 8-507, Disclosure of content of grand jury proceeding, requires protection from further disclosure, and Individual Defendants therefore file this instant motion.<sup>1</sup>

6. Individual Defendants do believe, however, the Parties can meet and confer and agree on appropriate redactions, which would shield from public view references to the substance of grand jury testimony. Individual Defendants would then submit to the Court a redacted Memorandum that can be made public.

7. Given that Exhibit No. 3 contains actual transcripts of grand jury testimony, however, Individual Defendants believe that exhibit must be sealed in its entirety.

8. Undersigned counsel met and conferred with Plaintiff's counsel, Kobie Flowers, regarding this motion. It is Plaintiff's position that the grand jury material is not required to be sealed.

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<sup>1</sup> Maryland Code, Courts and Judicial Proceedings, § 8-507(a) provides, "A person may not disclose any content of a grand jury proceeding."

WHEREFORE, Individual Defendants respectfully request leave to file under seal their Memorandum of Law in Support of Their Motion for Summary Judgment, subject to the Parties agreeing on appropriate redactions to be filed with the Court within 7 days; Exhibit No. 1, subject to Individual Defendants applying necessary redactions to protect confidential information and filing a redacted exhibit with the Court within 7 days; and Exhibit No. 3 in its entirety, and for any such relief this Court deems just and proper.

Dated: May 23, 2025

Respectfully Submitted,

/s/ Alexander S. Rothstein

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**CERTIFICATE OF SERVICE**

I, the undersigned attorney, hereby certify that on May 23, 2025, I caused the foregoing document to be electronically filed with the Court's CM/ECF system, which will send an electronic copy of the same to all counsel of record.

/s/ Alexander S. Rothstein